

DIVISION OF WATER RIGHTS

STATEMENT OF WATER DIVERSION AND USE
ROUTE SLIP FOR AN INACTIVE/REVOKED DIVERSION OF WATER

STATEMENT # S 009704

CLAIMANT David Weiss DATE RECEIVED 4/23/07

DATE	INITIALS	ROUTE	TASKS
5/7/07	WR	1. Data Management Unit (DMU) Staff	<p>a. Voluntary request for inactive/revoked status ___ Yes, Go to step 3</p> <p>b. Review basis for returned correspondence ___ Forwarding address expired X_ No such address, undeliverable as addressed X_ Unclaimed and no forwarding address</p> <p>c. Determine claimant's current mailing address ___ Called the telephone number in WRIMS X_ Parcel Quest X_ Internet search tools (i.e. Google, Yahoo, AT&T, 411,)</p> <p>d. Address Change ___ Yes, mail correspondence to new address. Go to step 2 X_ Check on related water rights in WRIMS requiring a BOE change <i>Mon</i> ___ Send a memorandum to the Fee Unit for a BOE change if applications are held by Statement holder X_ No, prepare the Inactive Status Memorandum X_ Prepare associated documentation to be filed down in the file folder Go to step 3</p> <p>e. Ownership Change ___ Yes, prepare the Statement Ownership Transfer Letter ___ Check on related water rights in WRIMS requiring a BOE change requirement ___ Send copy of memorandum to the Fee Unit for a BOE change if applications are held by Statement holder ___ Prepare associated documentation to be filed down in the file folder Go to step 2</p>
		2. Secretary	<p>___ Mail correspondence (step 1d.) ___ Mail Statement Ownership Transfer Letter (step 1e)</p>
5/7/07	WR	3. DMU Staff	<p>X_ Update WRIMS to show that the Statement is now an inactive/revoked of water, delete name link for mail ___ Send a copy of the Inactive Status Memorandum to Fee Unit for any required BOE change ___ Enter new mailing address or owner into WRIMS ___ File down associated documentation in the file folder (steps 1d & 1e) and send folder to the File room</p>
JUN 01 2007	DK	4. Peer review	<p>X_ DMU staff QC WRIMS entry</p>
		5. Files	<p>File down the route slip and any loose correspondence</p>

MEMORANDUM

TO: FILE

FROM: WHALEN TOY
Water Resources Control Engineer
Data Management Unit - Statement Program
Division of Water Rights

DATE: May 07, 2007

SUBJECT: UNDELIVERED SUPPLEMENTAL STATEMENT OF WATER
DIVERSION AND USE (STATEMENT) S009704.


The U. S. Postal Service returned Supplemental Statement S009704 to the Division of Water Rights (Division) as "*not deliverable as addressed, unable to forward.*" Division staff subsequently used Parcel Quest™ and/or 411Locate™ on-line services in an attempt to identify current ownership of the diversion property, but were unsuccessful.

The water diverter is responsible for keeping the Division informed of any address or ownership changes. Because Division staff was unable to verify current ownership, S009704 has been designated as an inactive diversion, and has been coded as such in the Division's database. Unless notified by the current owner(s) or their agent, the Division will no longer issue a Supplemental Statement for S009704.

Attachment: Supplemental Statement
Returned Envelope

☐ WRIMS update by

Date

 5/7/07

Keep on Top of File Folder until Reactivated

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **DAVID WEISS**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
DAVID WEISS
PO BOX 1041
BEN LOMOND, CA 95005

STATEMENT NO.: **S009704**
CONTACT PHONE NO.: **(408) 336 - 5892**

Source Name: **MARSHALL CREEK**
Tributary To: **SAN LORENZO RIVER**
County: **Santa Cruz**
Diversion Within: **SW¼ of NE¼ Section 5 T10S, R02W, MB&M**

Year of First Use:
Parcel Number:

- A. **Water is Used Under:** Riparian claim _____ Pre-1914 right _____ Other (explain): _____
B. **Year of First Use:** (Please provide if missing above) _____
C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004													
2005													
2006													

- D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic _____;
Other (specify) _____
- E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Are you now employing water conservation efforts? YES ____ NO ____
Describe any water conservation efforts you have initiated: _____

- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:
- Reduction in Diversions:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)
- Reduction in consumptive use:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)
- I have data to support the above surface water use reductions due to conservation efforts. YES ____ NO ____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20____ at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

TO ALL WATER USERS FILING SUPPLEMENTAL STATEMENTS OF WATER DIVERSION AND USE MARCH 2007

Enclosed is your Supplemental Statement of Water Diversion and Use form (Supplemental Statement) for the years **2004, 2005, and 2006**. All Supplemental Statements should be completed and postmarked no later than **JULY 1, 2007** for delivery to the State Water Resources Control Board, Division of Water Rights (Division). Please review the information in the upper half of the enclosed Supplemental Statement(s) and make any corrections or additions in red ink or pencil (e.g., corrections to current ownership, address, phone number, agent, etc.) so that the Division's database record(s) can be updated.

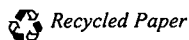
A separate Statement of Water Diversion and Use form is required for each point of diversion. If the location of the existing point of diversion, as identified on the Supplemental Statement form, has changed, please identify the new location. However, if you have developed a new point of diversion, in addition to the existing point of diversion, please contact the Division for a separate form to record the new diversion.

If you do not file a Supplemental Statement, your use will be considered inactive and it will be recorded as such in the Division's database, and the Division will no longer mail you Supplemental Statements. If you wish to reactivate an inactive Statement in order to record your diversion and use of water, please contact the Division.

If you have any questions or need assistance, please contact me at (916) 341-5376 or at brigby@waterboards.ca.gov.

BILL RIGBY
Engineering Associate
Data Management Unit

California Environmental Protection Agency



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

"FILE"



(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DEC 22 PM 4: 24

DIVERTER OF RECORD:

STATEMENT NO: 009704

WAYNE & TERRY DRAGER
P O BOX 255
BEN LOMOND, CA 95005

DIV. OF WATER RIGHTS
DAVID WEISS
P.O. Box 104
BEN LOMOND, CA 95005

TELEPHONE NUMBER:
(408) 336-5892

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MARSHALL CREEK

TRIBUTARY TO: SAN LORENZO RIVER

COUNTY: SANTA CRUZ

DIVERSION

WITHIN: SW1/4 OF NE1/4 SECTION 05, T10S, R02W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985													
1986													
1987													

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19____, at _____, California

Signature: _____

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATEMENT OF WATER DIVERSION AND USE
(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

STATE WATER RESOURCES
CONTROL BOARD

S9704

FEB 13 2 20 PM '79

DIV. OF WATER RIGHTS
SACRAMENTOA. Name of person diverting water Wayne + Terry Daaser
Address P.O. Box 887 Boulder Creek, Cal. 95006 Telephone: 3365182B. Name of body of water at point of diversion MARSHALL CREEK
Tributary to SAN JOSE RIVERC. Place of diversion SW 1/4 NE 1/4 Section 5, Township 9S, Range 3W, MDM B&M, Santa Cruz County
County, located on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.D. Name of works PRIVATE (Satisfied Diverted)E. Capacity of diversion works 3 gal/min cubic feet per second
Capacity of storage reservoir 5000 gallons per minute
gallons
acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	1000	1000	1000	1000	900	900	900	900	900	1000	1000	1000	11,500 gals

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 13,000 gallonsMinimum annual water use in recent years 10,000 acre-feetType of diversion facility: gravity _____, pump X gallons
acre-feetMethod of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate XF. Purpose of use (what water is being used for) Domestic useG. General description or location of place of use (use sketch of section grid on reverse side if you desire)
SEE BACKH. Year of first use as nearly as known EARLY 1900I. Name of person filing statement WAYNE DAASERPosition OWNER Organization RESIDENTAddress P.O. Box 887 Boulder Creek, Cal. 95006 Telephone: 3365182I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
DATED: FEB. 8TH 19 79 at BOULDER CREEK, California.Signature: [Signature]

See Instructions on Reverse Side

3-011-13-00-0

COPY FOR YOUR FILE